

Case #3:18-cv-00296-LRH-CBC

**VERIFIED PETITION FOR
PERMISSION TO PRACTICE
IN THIS CASE ONLY BY
ATTORNEY NOT ADMITTED
TO THE BAR OF THIS COURT
AND DESIGNATION OF
LOCAL COUNSEL**

FILING FEE IS \$250.00

VS.

FILING FEE IS \$250.00

Defendant(s).

1. That Petitioner is an attorney at law and a member of the law firm of
Tiffany & Bosco, P.A.

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Tiffany & Bosco, P.A.

Tiffany & Bosco, P.A.

(firm name)

Phoenix, Arizona, 85016,
(city) (state) (zip code)

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(city) (state) (zip code)

2. That Petitioner has been retained personally or as a member of the law firm by
Martin Tripp to provide legal representation in connection with
[client(s)]

2. That Petitioner has been retained personally or as a member of the law firm by
Martin Tripp to provide legal representation in connection with
[client(s)]

the above-entitled case now pending before this Court.

3. That since December 16, 1999, Petitioner has been and presently is a
 (date)
 member in good standing of the bar of the highest Court of the State of Arizona
 (state)
 where Petitioner regularly practices law. Petitioner shall attach a certificate from the state bar or
 from the clerk of the supreme court or highest admitting court of each state, territory, or insular
 possession of the United States in which the applicant has been admitted to practice law certifying
 the applicant's membership therein is in good standing.

4. That Petitioner was admitted to practice before the following United States District
 Courts, United States Circuit Courts of Appeal, the Supreme Court of the United States and Courts
 of other States on the dates indicated for each, and that Petitioner is presently a member in good
 standing of the bars of said Courts.

Court	Date Admitted	Bar Number
Supreme Court of Arizona	December 16, 1999	019769
U.S. Supreme Court	January 8, 2008	
U.S. Court of Appeals for the Ninth Circuit (AZ)	December 22, 2008	
U.S. District Court, District of Arizona	December 22, 2008	
U.S. Bankruptcy Court, District of Arizona	December 22, 2008	
U.S. Court of Federal Claims	September 20, 2013	
U.S. Court of Appeals for the Armed Forces	November 6, 2007	

5. That there are or have been no disciplinary proceedings instituted against petitioner,
 nor any suspension of any license, certificate or privilege to appear before any judicial, regulatory
 or administrative body, or any resignation or termination in order to avoid disciplinary or
 disbarment proceedings, except as described in detail below:

None.

1 6. That Petitioner has never been denied admission to the State Bar of Nevada. (Give
2 particulars if ever denied admission):

3 Not Applicable.
4
5

6 7. That Petitioner is a member of good standing in the following Bar Associations.

7 State Bar of Arizona.
8
9

10 8. Petitioner has filed application(s) to appear as counsel under Local Rule IA 11-2
11 (formerly LR IA 10-2) during the past three (3) years in the following matters: (State "none" if no applications.)

12 Date of Application	Cause	Title of Court Administrative Body or Arbitrator	Was Application Granted or Denied
14 None.			
15			
16			
17			
18			

19 (If necessary, please attach a statement of additional applications)

20 9. Petitioner consents to the jurisdiction of the courts and disciplinary boards of the
21 State of Nevada with respect to the law of this state governing the conduct of attorneys to the same
22 extent as a member of the State Bar of Nevada.

23 10. Petitioner agrees to comply with the standards of professional conduct required of
24 the members of the bar of this court.

25 11. Petitioner has disclosed in writing to the client that the applicant is not admitted to
26 practice in this jurisdiction and that the client has consented to such representation.
27

1 That Petitioner respectfully prays that Petitioner be admitted to practice before this Court
 2 FOR THE PURPOSES OF THIS CASE ONLY.

3 

4 Petitioner's signature

5 STATE OF Arizona)
 6 COUNTY OF Maricopa)

7 William M. Fischbach, III, Petitioner, being first duly sworn, deposes and says:
 8 That the foregoing statements are true.

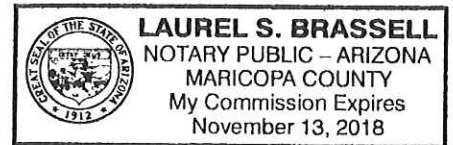
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10 Petitioner's signature

11 Subscribed and sworn to before me this

12 10th day of September, 2018

13 Laurel S. Brassell
 14 Notary Public or Clerk of Court



15
 16 **DESIGNATION OF RESIDENT ATTORNEY ADMITTED TO
 17 THE BAR OF THIS COURT AND CONSENT THERETO.**

18 Pursuant to the requirements of the Local Rules of Practice for this Court, the Petitioner
 19 believes it to be in the best interests of the client(s) to designate Matthew D. Dayton,
 20 (name of local counsel)
 21 Attorney at Law, member of the State of Nevada and previously admitted to practice before the
 22 above-entitled Court as associate resident counsel in this action. The address and email address of
 23 said designated Nevada counsel is:

24 10100 W. Charleston Boulevard, Suite 220,
 25 (street address)

26 Las Vegas, Nevada, 89135,
 27 (city) (state) (zip code)

28 (702) 258-8200, md@tblaw.com,
 (area code + telephone number) (Email address)

1 By this designation the petitioner and undersigned party(ies) agree that this designation constitutes
2 agreement and authorization for the designated resident admitted counsel to sign stipulations
3 binding on all of us.

4
5 **APPOINTMENT OF DESIGNATED RESIDENT NEVADA COUNSEL**

6
7 The undersigned party(ies) appoint(s) Matthew D. Dayton as
8 his/her/their Designated Resident Nevada Counsel in this case.
(name of local counsel)

9
10 Martin Tripp 9/8/18
(party's signature)

11 Martin Tripp, Defendant

12 (type or print party name, title)

13
14 (party's signature)

15
16 (type or print party name, title)

17 **CONSENT OF DESIGNEE**

18 The undersigned hereby consents to serve as associate resident Nevada counsel in this case.

19
20 [Signature]
Designated Resident Nevada Counsel's signature

21 11552

Bar number

md@tblaw.com

Email address

22
23 APPROVED:

24 Dated: this _____ day of _____, 20 ____.

25
26 UNITED STATES DISTRICT JUDGE

Robert D. Mitchell (*pro hac vice application pending*)
William M. Fischbach III (*pro hac vice application pending*)
Christopher J. Waznik (*pro hac vice application pending*)
Matthew D. Dayton, Nevada Bar No. 11552



Camelback Esplanade II, Seventh Floor
2525 East Camelback Road
Phoenix, Arizona 85016-4229
Telephone: (602) 255-6000
Fax: (602) 255-0103
E-mails: rdm@tblaw.com; wmf@tblaw.com;
cjw@tblaw.com; md@tblaw.com

Counsel for Defendant/Counterclaimant Martin Tripp

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

TESLA, INC., a Delaware corporation,

Plaintiff,

vs.

MARTIN TRIPP, an individual,

Defendant.

MARTIN TRIPP, an individual,

Counterclaimant,

TESLA, INC., a Delaware corporation,

Counterdefendant

Case No. 3:18-cv-00296-LRH-CBC

**WILLIAM M. FISCHBACH, III'S
STATEMENT OF ADDITIONAL COURT
ADMISSIONS IN RESPONSE TO
REQUEST NO. 4 OF HIS VERIFIED
PETITION TO PRACTICE IN THIS
CASE ONLY BY ATTORNEY NOT
ADMITTED TO THE BAR OF THIS
COURT AND DESIGNATION OF LOCAL
COUNSEL**

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<u>Court</u>	<u>Date Admitted</u>	<u>Bar Number</u>
U.S. Army Court of Criminal Appeals	August 27, 2007	
U.S. Court of Appeals for the Seventh Circuit	February 10, 2017	
U.S. Court of Appeals for the Ninth Circuit (SF District)	September 20, 2013	

**CERTIFICATE OF THE CLERK OF THE SUPREME COURT
OF THE
STATE OF ARIZONA**

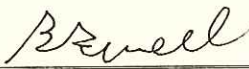
I, Janet Johnson, Clerk of the Supreme Court of the State of Arizona, hereby certify that, according to the records of my office and upon the recommendation of the Disciplinary Clerk of the Supreme Court of Arizona

WILLIAM MORRIS FISCHBACH, III

was on the 16th day of December, 1999 duly admitted to practice as an Attorney and Counselor at Law in all the courts of Arizona; that no disciplinary proceedings are pending against this attorney in the Arizona Supreme Court as of the date of this certificate; and that this name now appears on the Roll of Attorneys in this office as an active member of the State Bar of Arizona in good standing.

*Given under my hand and the seal of
said Court this 10th day of August,
2018.*

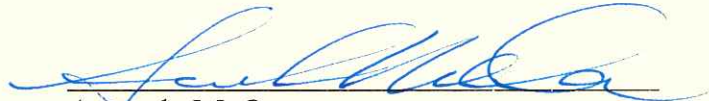
JANET JOHNSON, Clerk

By 
Brandon Powell
Deputy Clerk Specialist

CERTIFICATE OF GOOD STANDING
ISSUED BY THE DISCIPLINARY CLERK
FOR AND ON BEHALF OF
THE SUPREME COURT OF ARIZONA

The Disciplinary Clerk pursuant to Rule 74, Rules of the Supreme Court of Arizona, hereby certifies that according to the records of the State Bar, **WILLIAM MORRIS FISCHBACH, III**, was duly admitted to practice as an attorney and counselor at law in all courts of Arizona by the Supreme Court of Arizona on December 16, 1999 and is now, as of the date of this Certificate, an active member of the State Bar of Arizona in good standing.

Given under the seal of the Disciplinary
Clerk of the Supreme Court of Arizona this
August 7, 2018.



Amanda McQueen
Disciplinary Clerk